GAU 1643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,429)

In the Application of:

Hasel, et al.

Serial No.: 09/186,869

Filed: November 4, 1998

For: METHOD FOR INDEXING AND DETERMINING THE RELATIVE CONCENTRATION OF EXPRESSED MESSENGER RNA'S

Art Unit: 1643

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:

   A. Information Disclosure Statement;
   B. Form PTO-1449;
   C. Copies of twenty-five (25) cited references;
   D. Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned also hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 23rd day of June, 1999.

By: Roger P. Zimmerman
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Reg. No. 38,670

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#9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,429)

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449 and copies of the documents listed thereon. These documents contain information that the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

U.S. PATENTS

1. U.S. Pat. No. 5,459,037
2. U.S. Pat. No. 5,807,680

OTHER DOCUMENTS

3. Adams, M.D., et al., Complementary DNA sequencing: expressed sequence tags and human genome project, Science **252**: 1651-1656 (1991).

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5. Bantle, J.A. & Hahn, W.E., Complexity and characterization of polyadenylated RNA in the mouse brain, Cell **8**: 139-150 (1976).

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7. Chikaraishi, D.M., Complexity of cytoplasmic polyadenylated and non-polyadenylated rat brain ribonucleic acids, Biochemistry **18**: 3249-3256 (1979).

8. de Noronha, C.M.C. & Mullins, J.I., Amplimers with 3'-terminal phosphorothioate linkages resist degradation by vent polymerase and reduce Taq polymerase mispriming, PCR Methods Appl **2**: 131-136 (1992).

9. Gubler, U. & Hoffman, B., A simple and very efficient method for generating cDNA libraries, Gene **25**: 263-269 (1983).

10. Hastie, N.D. & Bishop, J.B., The expression of three abundance classes of messenger RNA in mouse tissues, Cell **9**: 761-774 (1976).

11. Liang, P. et al., Distribution and cloning of eukaryotic mRNAs by means of differential display: refinements and optimization, Nucl. Acids Res. **21**: 3269-3275 (1993).

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means of the polymerase chain reaction, Science **257**: 967-971 (1992).

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18. Ott, J. & Eckstein, F., Protection of oligonucleotide primers against degradation by DNA polymerase I, Biochemistry **26**: 8237-8241 (1987).

19. Schibler, U. et al., Tissue-specific expression of mouse amylase genes, J. Mol. Biol. **142**: 93-116 (1980).

20. Schreiber, G., et al., Selective protection of *in vitro* synthesized cDNA against nucleases by incorporation of phosphorothioate-analogues, Nucleic Acids Res. **13**: 7663-7672 (1985).

21. Sutcliffe, J.G., mRNA in the mammalian central nervous system, Ann. Rev. Neurosci. **11**: 157-198 (1988).

22. Uhlmann, E., et al., Studies on the mechanism of stabilization of partially phosphorothioated oligonucleotides against nucleolytic degradation, Antisense & Nucl. Acid Drug Dev. **7**: 345-350 (1997).

23. Welsh, J., et al., Arbitrarily primed PCR fingerprinting of RNA, Nucl. Acids Res. **20**: 4965-4970 (1992).

24. Williams, J.G.K., et al., DNA polymorphisms amplified by arbitrary primers are useful as genetic markers, Nucl. Acids Res. **18**: 6531-6535 (1990).

25. Woodward, S.R., et al., Random sequence oligonucleotide primers detect polymorphic DNA products which segregate in inbred strains of mice, Mamm. Genome **3**: 73-78 (1992).

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be

construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Dated: June 23, 1999

Roger P. Zimmerman
Registration No. 38,670